

Application Number 	Application/Control No. 10/535,621	Applicant(s)/Patent under Reexamination LI ET AL.
Document Code - DISQ		Internal Document – DO NOT MAIL

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Date Filed : 16 NOV 2009	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

JAB

37 CFR 1.321(c)(3) requires that a TD "Include a provision that any patent granted on that application or any patent subject to the reexamination proceeding shall be enforceable only for and during such period that said patent is commonly owned with the application or patent which formed the basis for the judicially created double patenting."

The words "legal title" do not include common ownership as to equitable title.